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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ANTONIO PETTYJOHNBLUE,

Plaintiff,

v.

DELTA AIR LINES, unknown DELTA
SECURITY OFFICERS, JANNE DOW 1&2,

Defendants.

Case No.: 3:25-cv-01020-YY

DELTA AIR LINES, INC.'S ANSWER
AND AFFIRMATIVE DEFENSES TO
PLAINTIFF'S FIRST AMENDED
COMPLAINT (DISCRIMINATION,
DEFAMATION, CIVIL RIGHTS
VIOLATIONS, AND DEMAND FOR
JURY TRIAL)

Defendant Delta Air Lines, Inc., ("Delta") answers Plaintiff's First Amended Complaint for Discrimination, Defamation, Civil Rights Violations, Demand for Jury Trial and asserts defenses as follows:

I. PARTIES

1. Delta lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 1 of the Amended Complaint.

2. In answer to paragraph 2 of the Amended Complaint, Delta admits only that it is a Delaware corporation with its principal place of business in Atlanta, Georgia and that it operates

flights into and out of the Seattle-Tacoma International Airport (“SEA”) and Portland International Airport (“PDX”). Delta denies that it employs any security officers with K9 units at SEA, as alleged in the Amended Complaint. Delta lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in paragraph 2 of the Amended Complaint.

II. JURISDICTION

3. In answer to paragraph 3 of the Amended Complaint, Delta admits that subject matter jurisdiction for this matter is proper in the United States District Court for the District of Oregon.

4. In answer to paragraph 4 of the Amended Complaint, Delta denies that venue for this matter is proper in the United States District Court for the District of Oregon because the allegations in the Complaint occurred in Washington.

III. FACTUAL BACKGROUND

5. In answer to paragraph 5 of the Amended Complaint, Delta admits only that Plaintiff was a passenger on Delta flight 81 from Paris Charles de Gaulle Airport (“CDG”) to Seattle-Tacoma International Airport (“SEA”) and on Delta Flight 3997, operated by SkyWest Airlines, Inc., from SEA to Portland International Airport (“PDX”) on April 15, 2025. Delta lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in paragraph 5 of the Amended Complaint.

6. Delta lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 6 of the Amended Complaint.

7. In answer to paragraph 7 of the Amended Complaint, Delta denies that it employs any security officers with K9 units at SEA, as alleged in the Amended Complaint. Delta lacks

knowledge or information sufficient to form a belief about the truth of any remaining allegations in paragraph 7 of the Amended Complaint.

8. In answer to paragraph 8 of the Amended Complaint, Delta denies that it employs any security officers with K9 units at SEA, as alleged in the Amended Complaint. Delta lacks knowledge or information sufficient to form a belief about the truth of any remaining allegations in paragraph 8 of the Amended Complaint.

9. Delta lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 9 of the Amended Complaint.

10. Delta lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 10 of the Amended Complaint.

11. Delta lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 11 of the Amended Complaint.

12. The allegations in paragraph 12 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

13. The allegations in paragraph 13 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

IV. CLAIMS OR RELIEF

Count I - Discrimination (ORS § 659A.403, Title VI of the Civil Rights Act, 42 U.S.C. § 2000d)

14. Delta reasserts its answers to the proceeding paragraphs as if fully set forth herein.

15. Delta denies the allegations in paragraph 15 of the Amended Complaint.

16. The allegations in paragraph 16 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

Count II - Defamation (Slander Per Se)

17. The allegations in paragraph 17 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

18. The allegations in paragraph 18 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

Count III - Civil Right Violations (42. U.S.C. § 1983 - First and Fourth Amendments)

19. The allegations in paragraph 19 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

20. The allegations in paragraph 20 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

Count IV - Unlawful Search and Seizure (Fourth Amendment - U.S. Constitution)

21. The allegations in paragraph 21 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

22. The allegations in paragraph 22 of the Amended Complaint state a legal conclusion to which no response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

V. REQUEST FOR IDENTIFICATION & VIDEO EVIDENCE

23. Paragraph 23 of the Amended Complaint contains no factual allegations to which a response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

VI. INDIGENCY AND ACCESS TO JUSTICE

24. Paragraph 24 of the Amended Complaint contains no factual allegations to which a response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

25. Paragraph 25 of the Amended Complaint contains no factual allegations to which a response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

26. Paragraph 26 of the Amended Complaint contains no factual allegations to which a response is required. To the extent a response is required, Delta denies that it is liable to Plaintiff.

VII. PRAYER FOR RELIEF

The remainder of the Amended Complaint is Plaintiff's Prayer for Relief. Delta denies that it is liable to Plaintiff and denies that Plaintiff is entitled to any of the damages or relief requested as against Delta.

DELTA AIR LINES, INC.'S DEFENSES

By way of further answer and as defenses to the First Amended Complaint, and without conceding that it has the burden of proof as to any issue, Delta asserts the following:

1. This Court lacks personal jurisdiction over Delta for purposes of this matter.
2. Plaintiff may have failed, in whole or in part, to state a claim upon which relief may be granted.

3. Some or all of Plaintiff's claims or the standard of care applicable to Plaintiff's claims may be preempted by federal law, including but not limited to the Montreal Convention, the Airline Deregulation Act, and federal aviation regulations.

4. Delta at all times relevant hereto, acted in good faith and consistent with the terms of the applicable Contract of Carriage, federal aviation regulations, and applicable law.

5. The liability of Delta, if any, is limited in accordance with the provisions of the Contract of Carriage and/or the Montreal Convention.

6. Neither Delta nor its agents or employees were the legal or proximate cause of any of the injuries alleged by Plaintiff.

7. Some or all of Plaintiff's claims and alleged damages may be due to the fault of third parties for whom Delta bears no control or responsibility, including the unnamed "Jane Doe 1".

8. Some or all of Plaintiff's claimed injuries or damages may have been the result of Plaintiff's own fault.

9. Some or all of Plaintiff's injuries or damages may have resulted from intervening or superseding causes.

10. To the extent not governed by federal law, Plaintiff's claims and/or Delta's defenses may be governed by the law of a different state.

Delta reserves the right to amend its Answer to assert additional defenses revealed in the course of further investigation and discovery.

PRAYER FOR RELIEF

WHEREFORE, Delta prays for relief as follows:

1. Dismissal of Plaintiff's action with prejudice;

2. An award to Delta of its attorneys' fees and costs to the extent permitted by law;
and

3. Any other relief the Court may deem just and equitable.

DATED this 7th day of July 2025.

STOKES LAWRENCE, P.S.

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By: /s/ Brett T. MacIntyre
Brett T. MacIntyre (OSB #190544)

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Attorneys for Defendant Delta Air Lines, Inc.

CERTIFICATE OF SERVICE

I certify that I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

N/A

I further certify that a true and correct copy of the foregoing was served via e-mail to the following non-CM/ECF participant:

Antonio PettyJohnBlue
P.O. Box 20606
Portland, OR 97211
Antoniopjblue@gmail.com

DATED July 7, 2025.

/s/ Madelyne Garcia
Practice Assistant